

EXHIBIT A

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

MATTHEW KOTILA, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

CHARTER FINANCIAL PUBLISHING
NETWORK, INC.,

Defendant.

Case No. 1:22-cv-00704-PLM-RSK

Hon. Paul L. Maloney

DECLARATION

**DECLARATION OF E. POWELL MILLER IN
SUPPORT OF PLAINTIFF'S APPLICATION FOR CLERK'S
ENTRY OF DEFAULT PURSUANT TO FED. R. CIV. P. 55(a)**

I, E. Powell Miller, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746 and based on my own personal knowledge, that the following statements are true:

1. I am one of the attorneys of record for Plaintiff Matthew Kotila and the proposed class in this action, and I submit this declaration in support of Plaintiff's Application for Clerk's Entry of Default pursuant to Federal Rule of Civil Procedure 55(a).
2. On August 3, 2022, Plaintiff initiated this action by filing the Class Action Complaint against Defendant Charter Financial Publishing Network, Inc. (ECF No. 1.) The following day, the Clerk of Court issued a Summons in a Civil Action as to Defendant. (ECF No. 4.)

3. Defendant is incorporated under the laws of Delaware. (Complaint ¶ 10, PageID.6.) Defendant's authorized agent in Delaware, Cogency Global, Inc., is located at 850 New Burton Road, Suite 201, Dover, DE 19904. (*See Exhibit 1* hereto (copy of Delaware Department of State, Division of Corporations web-based record for Charter Financial Publishing Network, Inc., identifying Cogency Global as its authorized agent, located at the aforementioned address).)

4. On August 11, 2022, John W. Gill, process server, effectuated service on Defendant by leaving, during office hours, copies of the summons and Class Action Complaint with Theresa Gradison, administrative assistant of Cogency Global, Inc., Defendant's authorized agent, at its office located at 850 New Burton Road, Suite 201, Dover, DE 19904. (ECF No. 5 at 2, PageID.534.)

5. Service of the summons and Class Action Complaint was deemed complete on August 11, 2022, when the summons and Class Action Complaint were left with Defendant's authorized agent.

6. To date, neither Defendant nor its counsel has contacted my co-counsel or me.

7. More than twenty-one days have elapsed since service was deemed complete on Defendant on August 11, 2022, and Defendant has failed to answer or respond to the Class Action Complaint or otherwise defend the action as required under Federal Rules of Civil Procedure 12(a)(1)(A).

8. Defendant is not an infant, in the military, or an incompetent person.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of September, 2022 at Rochester, Michigan.

/s/ *E. Powell Miller*

E. Powell Miller

EXHIBIT 1

Department of State: Division of Corporations

[Allowable Characters](#)[HOME](#)

Entity Details

THIS IS NOT A STATEMENT OF GOOD STANDING

File Number: 3171353 Incorporation Date / Formation Date: 2/7/2000 (mm/dd/yyyy)
Entity Name: CHARTER FINANCIAL PUBLISHING NETWORK, INC.
Entity Kind: Corporation Entity Type: General
Residency: Domestic State: DELAWARE

REGISTERED AGENT INFORMATION

Name: COGENCY GLOBAL INC.
Address: 850 NEW BURTON ROAD SUITE 201
City: DOVER County: Kent
State: DE Postal Code: 19904
Phone: 800-483-1140

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

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